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S E C R E T SECTION 01 OF 02 BAGHDAD 003958

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TAGS: [MOPS](#) [PREF](#) [PREL](#) [PTER](#) [IR](#) [IZ](#)  
SUBJECT: MOVING FORWARD ON MEK

REF: A. BAGHDAD 3748  
[1](#)B. BAGHDAD 2082

Classified By: Patricia A. Butenis, Charge d'Affaires. Reasons 1.4 (b) & (d).

[1](#)1. (S) SUMMARY: As reported in Ref B, the MEK presence in Iraq and MNF-I protection duties have become a major irritant in our relationship with the GOI. For most Iraqis, the group remains associated with some of the worst human rights abuses of the former regime. The GOI has repeatedly pressed us to remove them from Iraq, or turn over responsibility for them to the GOI. This message provides an update on recent developments and a more detailed game plan for resolving the issue. END SUMMARY.

[1](#)2. (S) We note there are two distinct groups: The first includes 200 individuals who have renounced MEK membership and are now recognized as refugees by UNHCR under its mandate. This group resides in the ARC. The second group comprises some 3,500 individuals who are still active MEK members and reside at Camp Ashraf, co-located with the ARC.

[1](#)3. (S) Our presence and ability to protect the MEK at Camp Ashraf derive from authorities given to Coalition Forces under UNSCR 1723. In December, we expect passage by the UN Security Council of what will almost certainly be the last Chapter VII resolution pertaining to Iraq. As we do not foresee any possibility the GOI would grant similar authorities for us to continue offering the MEK protection in the long-term security arrangement we intend to conclude with Iraq, it follows that the MEK will effectively lose their protected person status with the expiration of the 2008 UNSCR.

[1](#)4. (S) The first step in preparing for the end of the MEK's protected status is for us to engage the GOI on how we plan to proceed and on how we see their obligations, with the aim of gaining Iraqi assurances of humane treatment and acceptance of the principle of non-refoulement. We understand that the GOI does not wish to put MEK members on trial. Given the large agenda we have with the GOI right now and to avoid confusing the issue, we would plan to privately approach the GOI in January on the imminent loss of USG protection for MEK members, after the Iran talks and UNSCR renewal.

[1](#)5. (S) MNF-I is already working on relocating the former MEK refugees, all of whom UNHCR has recognized as bona fide refugees under its mandate, to a UNHCR refugee camp elsewhere in Iraq (ref B). This is part of an effort Task Force 134 has underway to treat this population more like refugees and less like persons under protective custody. A handful of refugees already have voluntarily departed the ARC to seek residence outside the camp, ultimately seeking to depart Iraq. They have signed waivers acknowledging their voluntary departure and willingness to "go it alone" absent MNF-I

assistance. To date, we have received no information that any of those refugees who have departed the ARC on a voluntary basis have been detained by GOI authorities.

¶16. (S) As for the MEK members, we believe that the only way to reduce the population is by encouraging more defections or voluntary repatriations to their countries of origin. We understand the interagency in Washington is reluctant for us to inform either the MEK members or the refugees directly of the anticipated end of USG protection at this time. News about the recent successful voluntary departure of a handful of refugees will eventually reach the ARC and Camp Ashraf, giving the remaining refugees credible proof that it is possible to depart the ARC safely and that defection from the MEK could have a positive benefit. We would hope to influence MEK members' decisions about their future both by their realization the status quo is ending and by creating better alternatives to remaining in Camp Ashraf, thereby undermining the control of the MEK leadership, which has sought to keep members in the Camp with disinformation on the physical dangers they would face outside. Hopefully, by the time we make a formal announcement, the MEK will have already begun to think about next steps.

¶17. (S) It is likely that the word that the status quo or "protected status" will end for the MEK at the latest in December 2008 will become apparent to the MEK well before we officially announce it.

¶18. (S) The next step would be to interview MEK members remaining in the ARC and Camp Ashraf to ascertain if they would like to be voluntarily repatriated to Iran. The continued voluntary departure of refugees from the ARC and somewhat reduced leadership "hold" over the MEK members might

BAGHDAD 00003958 002 OF 002

encourage other MEK members to consider this option. There have been no reports from international human rights organizations or from the ICRC on harassment or abuse of refugees or MEK members who have returned to Iran, though there has also been no systematic follow-up on them.

¶19. (S) For those who continue to claim a well-founded fear of persecution in Iran, there would be two choices: 1) Renounce MEK membership, become a refugee and either leave voluntarily or seek assistance from UNHCR for placement outside Iraq, or 2) remain with the MEK, with the understanding that by the end of 2008, the camp will become the responsibility of the GOI.

¶10. (S) Once we tell the GOI that we intend to remove the MEK's "protected status," we should undertake a vigorous effort, especially with European countries, to take some of the refugees. Such effort could well be helped by the impending deadline. The MEK have considerable support in Europe which could hopefully be mobilized to help at least some to immigrate to European countries.

¶11. (S) We also should redouble efforts to involve ICRC and appropriate UN agencies (e.g., IOM) to facilitate voluntary repatriation requests. We underscore that a strong incentive for third countries to take in refugees would be the resettlement in the U.S. of a number of qualified refugees.

¶12. (S) The last step: It is likely that a number of the refugees and MEK members will still be in Iraq at the end of 2008. We believe aggressive pursuit of refugee resettlement and international organization involvement in voluntary repatriation efforts, together with GOI assurances of humane treatment, should trigger more defections, leading to a reduced refugee and MEK permanent presence in Iraq.

BUTENIS